

SLIDE ONE

OFCCP Proposed Section 503 Regulations Webinar

If you are unable to log onto the webinar, dial
800-857-9452 , passcode 3802643 to listen to the audio portion

Or visit <http://www.fedrcc.us/> and input the event confirmation number 1877060.

SLIDE TWO

NPRM: Section 503 of the Rehabilitation Act of 1973

Strengthening Employment Protections for Individuals With Disabilities

SLIDE THREE

NOTICE of Proposed Rulemaking (NPRM)

An agency's way of informing the public of proposed changes to a regulation and requesting input

SLIDE FOUR

Why Revise the Regulations?

Framework unchanged since the 1970's

BLS data show stark employment disparities:
79% of those with disabilities outside the labor force
30% of those without disabilities out of labor force

Existing framework clearly not working
Revisions intended to increase employment opportunities for individuals with disabilities

SLIDE FIVE

NPRM Overview

Incorporate changes necessitated by the ADA Amendments Act of 2008
Require annual review of personnel processes
Require outreach & recruitment measures
Mandate job listing requirements

SLIDE SIX

NPRM Overview (2)

Modify invitation to self-identify
Establish a national utilization goal
Require written reasonable accommodation procedures
Require increased data collection

Modify compliance evaluation procedures

SLIDE SEVEN

Necessitated by the ADAAA

ADAAA applies equally to Section 503.

ADAAA primarily broadens the definition of “disability;” became effective January 1, 2009.

NPRM revisions consistent with amended EEOC regulations.

SLIDE EIGHT

Annual Review of Personnel Processes

Mandate previously recommended steps contractors must take to review their personnel processes, and to review physical and mental job qualifications

Review and its results must be documented

Reviews must take place annually rather than periodically

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SLIDE NINE

Mandatory Outreach/Recruitment Efforts

Proposes requiring that contractors:

List all openings with the employment delivery service/One-Stop;

Enter into at least 3 linkage agreements;

Annually review effectiveness of recruitment efforts; and

Document this review

Records must be kept for 5 years

SLIDE TEN

Invitation to Voluntarily Self-Identify

Proposes both pre-offer & post-offer invitations AND

Annual anonymous resurvey of employees

OFCCP will mandate text of contractor invitations

Will provide much needed data to evaluate workplace practices

SLIDE ELEVEN

Establishment of a National Utilization Goal

National utilization goal of 7% for each job group in workforce

Based on limited American Community Survey (ACS) labor force & discouraged worker data

Goal is neither a quota nor a ceiling

An important tool: “What gets measured gets done”

SLIDE TWELVE

Written Reasonable Accommodation Procedures

Proposes contractors develop and implement written procedures for accommodation requests.

Procedures must be in AAP and contain specific elements, including:

- How to request reasonable accommodation;
- Written confirmation of RA requests;
- Timeframe for processing RA requests;
- When medical documentation may be sought;
- Denials in writing, including the basis for denial; and
- Responsible official and contact information

SLIDE THIRTEEN

Increased Data Collection

Proposes contractor document & maintain specific data computations, including:

- The ratio of jobs filled to job openings;
- The ratio of applicants with disabilities to all applicants;
- The total number of applicants hired; and
- The ratio of individuals with disabilities hired to all hires.

Records must be kept for 5 years

SLIDE FOURTEEN

Compliance Evaluation Procedures

Proposes revisions to compliance evaluation procedures:

- Contractors must provide records in any available format that OFCCP requests;
- Allows access to records for compliance checks & focused reviews onsite OR offsite at OFCCP's discretion; and
- Adds a pre-award compliance evaluation to make Section 503 consistent with EO 11246

SLIDE FIFTEEN

FAQs About the NPRM

How Do I Submit Comments?

Electronically, (most common way) by accessing the Federal eRulemaking portal called regulations.gov at: <http://www.regulations.gov>. Follow instructions for submitting comments using RIN number 1250-AA02; OR

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Submitting Comments

Mail or hand deliver/courier to: Debra A. Carr, Director, DPPP, Office of Federal Contract Compliance Programs, Room C-3325, 200 Constitution Ave, N.W., Washington, D.C. 20210.

FAX (comments of 6 pages or less) using telephone number (202) 693-1304.

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Comment Receipt

Does OFCCP Acknowledge Receipt of Comments?

Generally not. May request confirmation of comment receipt by calling (202) 693-0103 (voice) or (202) 693-1337 (TTY).

All comments are posted and may be viewed on www.regulations.gov. If received by mail, comments posted within 2-3 business days after receipt.

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Use of Comments

What does OFCCP do with the comments it receives?

Reviews and analyzes

Comments assist OFCCP in developing Final Rule on Section 503, which will make permanent changes to the regulations

SLIDE NINETEEN

Comment Deadline

When is the deadline for submitting comments?

Public comment period is 60 days

Must receive comments on or before February 7, 2012

SLIDE TWENTY

Questions

Use the question box on your webinar taskbar to submit questions

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Webinar presentation will be posted on OFCCP's homepage:

<http://www.dol.gov/ofccp/>

Audio recording available until
January 20, 2012:
866-373-9215, pass code 1244

SLIDE TEWNTY TWO

If you were unable to participate in the entire webinar, a REPEAT session will be held on December 21, 2011 at 2:00 p.m., eastern time.

Register: <https://www1.gotomeeting.com/register/538846432>

Access registration link on DOL Events Calendar

SLIDE TWENTY THREE

Thank you for participating in OFCCP's Proposed Section 503 Regulation Revisions webinar.

We appreciate your feedback. Please submit the survey you will be receiving as a participant of the webinar.